



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

446 Neal Street  
Cookeville, TN 38501

February 8, 2005

EI-1401  
CD

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
Case Control Unit  
Washington, DC 20423

OPTIONAL FORM 99 (7-90)

### FAX TRANSMITTAL

2/9/05  
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To: <i>Christa Dean</i>	From: <i>Wally Brines</i>
Dept./Agency: <i>STB</i>	Phone #: <i>931-528-6481 ext. 222</i>
Fax #: <i>202-565-9000</i>	Fax #:

NSN 7540-C1-317-7368

5049-101

GENERAL SERVICES ADMINISTRATION

Attention: Christa Dean

Re: FWS #05-0650; STB Docket No. AB-290 (Sub-No. 259X)

Dear Mr. Williams:

Thank you for your correspondence of January 24, 2005, regarding the Norfolk Southern Railway Company's proposed Tennessee Railway Company Line Abandonment Project in Anderson and Campbell counties, Tennessee. The proposed project entails the abandonment of approximately 14.4 miles of rail line between Milepost TE-27.96 at Nick's Creek and Milepost 42.00 at Devonia as shown on the attachment to your correspondence. Fish and Wildlife Service (Service) personnel have reviewed the information submitted and we offer the following comments.

Information available to the Service does not indicate that wetlands exist in the vicinity of the proposed project. However, our wetland determination has been made in the absence of a field inspection and does not constitute a wetland delineation for the purposes of Section 404 of the Clean Water Act. The Corps of Engineers and Tennessee Department of Environment and Conservation should be contacted if other evidence, particularly that obtained during an on-site inspection, indicates the potential presence of wetlands.

If bridges are removed, we recommend that silt barriers be put in place when working adjacent to all streams to prevent runoff of sediment. Streambanks should be reshaped to the original contour and reseeded with native vegetation beneficial to wildlife immediately following completion of bridge removal.

Endangered species collection records available to the Service do not indicate that federally listed or proposed endangered or threatened species occur within the impact area of the project. We note, however, that collection records available to the Service may not be all-inclusive. Our data base is a compilation of collection records made available by various individuals and

resource agencies. This information is seldom based on comprehensive surveys of all potential habitat and thus does not necessarily provide conclusive evidence that protected species are present or absent at a specific locality. However, based on the best information available at this time, we believe that the requirements of section 7 of the Endangered Species Act of 1973, as amended, are fulfilled. Obligations under section 7 of the Act must be reconsidered if (1) new information reveals impacts of the proposed action that may affect listed species or critical habitat in a manner not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical habitat designated that might be affected by the proposed action.

Thank you for the opportunity to comment on this action. If you have any questions regarding the information which we have provided, please contact Wally Brines of my staff at 931/528-6481, extension 222.

Sincerely,

A handwritten signature in cursive script, reading "Lee A. Barclay". The signature is written in dark ink and is positioned above the printed name and title.

Lee A. Barclay, Ph.D.  
Field Supervisor